PATENT

## REMARKS

In the specification, the paragraphs [0001] and [0036] have been amended to correct minor editorial problems.

Claims 1-9 are pending in the present application.

In the Office Action mailed June 1, 2005, Examiner provisionally rejected claims 1-9 under the judicially created doctrine of obviousness-type double patenting over claims 1-9 of U.S. Patent No. 6,728,300.

## Obviousness-Type Double Patenting Rejection

Claims 1-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-9 of U.S. Patent No. 6,728,300.

Applicants concurrently file a terminal disclaimer with traversal in compliance with 37 CFR 1.321(c) to overcome the rejection based on a nonstatutory double patenting ground because the conflicting patent is commonly owned with this application. Applicants are filing a terminal disclaimer without prejudice solely to expedite prosecution and allowance of the present application for patent.

Attorney Docket No.: 000120C1

Customer No.: 23696

PATENT

## REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submits that all pending claims in the application are Accordingly, reconsideration and allowance of this application are earnestly patentable. solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: June 24, 2005

(858) 658-1761

QUALCOMM Incorporated 5775 Morehouse Drive San Diego, California 92121

Telephone:

(858) 658-5787

Facsimile:

(858) 658-2502

Attorney Docket No.: 000120C1

Customer No.: 23696